

RESPONSE TO FINAL OFFICE ACTION and NOTICE OF APPEAL
Serial No. 10/716,096
Page 7 of 9

REMARKS

This response is intended as a full and complete response to the Final Office Action dated March 4, 2005.

PRIORITY

The specification has been amended to update the status of the priority applications and to properly reflect the relationship between the present application and the parent applications to which priority is claimed. Specifically, the priority claim is amended to show that the present application is a continuation-in-part of United States Patent Application Serial No. 08/680,913, which is a continuation-in-part of United States Patent Application Serial No. 08/677,218, which is a continuation-in-part of United States Patent Application Serial No. 08/677,185, which is a continuation-in-part of United States Patent Application Serial No. 08/567,461, which is a continuation-in-part of United States Patent Application Serial No. and 08/498,990.

DOUBLE PATENTING

Claims 1-22 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of United States Patent Serial No. 6,155,198, issued December 5, 2000 to *Danek et al* (hereinafter *Danek*).

Claims 23-24 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of *Danek* in view of United States Patent Serial No. 4,313,783, issued February 2, 1982 to *Davies et al* (hereinafter *Davies*).

In response, the Applicants have filed herewith a terminal disclaimer under 37 C.F.R. 1.130(b). As such, the Applicants respectfully request that the obviousness-type double patenting rejection be withdrawn.

RESPONSE TO FINAL OFFICE ACTION and NOTICE OF APPEAL
Serial No. 10/716,096
Page 8 of 9

NOTICE OF APPEAL

Claims 1-8, 10-16, and 18-22 stand rejected as being anticipated by United States Patent Serial No. 5,017,403, issued May 21, 1991, to *Pang et al.* (hereinafter *Pang*).

Claims 1-6, and 10-15 stand rejected as being anticipated by United States Patent Serial No. 5,698,062, issued December 16, 1997, to *Sakamoto et al.* (hereinafter *Sakamoto*).

Claims 1-22 stand rejected as being anticipated by United States Patent Serial No. 5,900,103, issued May 4, 1999, to *Tomoyasu et al.* (hereinafter *Tomoyasu*).

Claims 9 and 17 stand rejected as being unpatentable over *Pang* in view of *Tomoyasu*.

Claims 23 and 24 stand rejected as being unpatentable over *Tomoyasu* in view of *Davies* and United States Patent Serial No. 5,567,071, issued October 22, 1996, to *Sandhu et al.*


In response, the Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated March 4, 2005, finally rejecting claims 1-24 as detailed above.

CONCLUSION

If the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Mr. Keith Taboada at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

May 4, 2005


Keith P. TABOADA
Attorney Reg. No. 45,150
(732) 530-9404

RESPONSE TO FINAL OFFICE ACTION and NOTICE OF APPEAL

Serial No. 10/716,096

Page 9 of 9

Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Suite 100
Shrewsbury, NJ 07702

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is
being transmitted by facsimile under 37
C.F.R. §1.8 on May 4, 2005 and is
addressed to Mail Stop AF, Commissioner
for Patents, P.O. Box 1450, Alexandria,
VA 22313-1450, Facsimile No. (703) 872-
9306.

Allyson M. DeVesty
Signature
Allyson M. DeVesty
Printed Name of Person Signing
5-4-05
Date of signature